

REMARKS

This amendment is filed in an RCE in response to the Office Action of November 24, 2006 in which claims 1-15 were rejected. This RCE is filed with the requisite RCE filing fee and with a petition for a three month extension of time. If the RCE fee is missing or insufficient or if a petition has not been filed, the fee is missing or incorrect, or is defective for some reason, the Commissioner is authorized to deduct the correct RCE fee from our Deposit Account Number 23-0442 and/or to consider this paper as a petition for the appropriate extension of time and to deduct the correct extension of time fee from our Deposit Account Number 23-0442.

Claim 1 is amended to define a device comprising a virtual display for displaying graphics and a diffractive grating element to enlarge the exit pupil of said virtual display.

Support for this amendment may be found on page 1 at line 10 which discloses a display for viewing graphics. Lines 9-17 on page 2 disclose that the display may be a virtual display. Lines 22-24 on page 12 disclose that applications of the invention include virtual display devices where beam expansion is performed to extend the exit pupil of the display device. Claim 11 defines that the grating element may be arranged to enlarge an exit pupil of a virtual display.

The expression “at a given point of the grating” is removed from claim 1.

Claims 9-11 are removed because the limitation of enlarging of the exit pupil now appears in claim 1.

Regarding the 35 USC 112, first paragraph, objection to independent claims 12 and 15, they are now amended to define a first location of an image point and a second location of an image point, instead of a first image point and a second image

point. The Examiner objected to claims 12 and 15 because she could not find a suggestion to include two image points on an imager. Support may be found in Fig. 8 which shows an image point in the center of the imager surface, and in Fig. 9 which shows an image point near the edge of the imager surface. Withdrawal of the objection to claims 12 and 15 is requested.

Claims 1, 3 and 6 are rejected under 35 USC 102(b) based on *Yoshida et al* (US 5,101,297) and claims 9-11 are rejected on the same ground by *Yoshida et al* or, in the alternative, under 35 USC 103(a).

Comments on *Yoshida et al* (U.S. 5,101,297)

The grating device of *Yoshida et al* is optimized to couple light from a single point into a substrate, said point being fixed with respect to said substrate. The grating of *Yoshida et al* comprises an assembly of diffractive curves defined by the equation in column 4 to correspond to a spherical wavefront received from the fixed point of light emission. A hypothetical change in the location of the point of light emission is likely to cause destructive interference and/or an increase in the divergence of an in-coupled light beam propagating in the substrate. Thus, in-coupled light beams corresponding to displaced emission points are likely to be distorted.

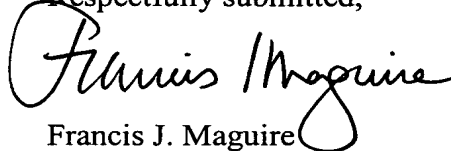
Displaying of graphics comprises displaying image points or image elements at various different locations. The device of *Yoshida et al* is optimized to collect light only from a single fixed point, and to provide a beam propagating in a fixed direction. Hypothetical coupling of said beam out of the substrate would provide a single fixed image point. Therefore, claims 1, 3, 6 and 9-11 are not anticipated by *Yoshida et al*. Moreover, with respect to claims 9-11, it would not have been obvious to apply the device of *Yoshida et al* for expanding an exit pupil of a virtual display for displaying graphics. Withdrawal of the novelty and obviousness rejections of claims 1, 3, 6 and 9-11 is requested.

Regarding the obviousness rejection of claims 2 and 4 based on *Yoshida et al* in further view of *Sakai et al* (US 5,279,924), these claims are dependent from independent claim 1 and are patentable for at least the same reasons advanced above in connection with applicant overcoming the novelty rejection of claim 1. Withdrawal of the obviousness rejection of claims 2 and 4 is requested.

Regarding the obviousness rejection of claims 5, 7 and 8 based on *Yoshida et al* in further view of *Schultz et al* (US 6,285,813), these claims are either directly or indirectly dependent from independent claim 1 and are patentable for at least the same reasons advanced above in connection with applicant overcoming the novelty rejection of claim 1. Withdrawal of the obviousness rejection of claims 5, 7 and 8 is requested.

The objections and rejections of the Office Action of November 24, 2006, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-15, as amended, to issue is earnestly solicited.

Respectfully submitted,



Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/mo
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, PO Box 224
Monroe CT 06468
(203) 261-1234